Common Practices of Transparency in the Nuclear Regulatory Organizations

Chang-Ju Lee [*], Yeon-Hee Hah, Kju-Myeng Oh
Korea Institute of Nuclear Safety, 34, Gwahak-ro, Yuseong-gu, Daejeon, Korea, 305-338
[*]*Corresponding author: cjlee@kins.re.kr*

1. Introduction

Along with greater access to information, particularly through the Internet, there is the increasing demand of the public for transparency, particularly in matters and decisions affecting their lives.

The public demands to know more about Nuclear Regulatory Organization's (NROs) and their activities resulting in more interactions with the public to help make nuclear safety activities more understandable and transparent. As a general concept, "transparency" means literally that something can be seen through. The definition tells us that it is, more actively, to provide the public with factual information about our activities, and to respond promptly to "the public's right to know" about the information acquired by NROs [1].

NROs around the world recognize the importance of openness and transparency to the success of their programs to protect public health and safety. All agree that good practice in transparency and being proactive with information help to protect against perceptions of secrecy and to instil public confidence and accountability in what they do.

On the other hand, NROs face many challenges in their quest to be open and transparent with their stakeholders – government, nuclear operators, NGOs, media, our colleagues, and particularly with the general public. The most frequently identified challenge was striking the right balance between openness and security-related considerations with many responders citing the need to protect proprietary information whilst still accommodating the public's desire to be well informed. Other challenges include deciding how much transparency is needed to satisfy the public and how information, that is often highly technical and complex, can be presented in a meaningful way through the use of clear and simple language.

In this paper, we summarize the survey results done by WGPC [2] on relevant practices of NRO's flux of work concerning public communication matters. By comprehensively searching the international status, we may have a way to establish regulatory framework for ensuring nuclear transparency.

2. The Position on Information Disclosure

All countries have a legal basis for the disclosure of information. In most cases, there is a general Freedom of Information Act (FOI), as well as special laws, codes of practice or guidelines relating to environmental information. Practices on proactive disclosure of information vary a great deal among the countries.

Many countries have specific policies or programs in place to address the issue. In their efforts to be as open and transparent as possible, most NROs actively address the problem of disclosure of information that could be considered commercially sensitive. Information to be released into the public domain must be agreed in advance with all parties concerned.

All countries have exemptions from transparency in intellectual property, commercial confidentiality and security-related information. Most countries refer to their specific FOI laws, data protection provisions and security of information regulations to define what information should be exempt from release.

Getting the right balance between the public's demand for information disclosure and commercial and/or security considerations is not always easy and legal frameworks help NROs with specific guidance in this area.

3. Public Engagement

Most NROs have some form of stakeholder engagement with interested groups, but the form and level of public involvement varies.

In general terms, opportunities for the public to influence, are via comments and feedback received, whether in informal or formal meetings/hearings, or in written form of some kind - letters, submissions or e-mail.

Table 1 shows how many NROs have confirmed they share information about specific applications/regulatory decisions (listed in the first row) on their websites, the level of information provided and at what stage (listed in first column).

Table 1. Sharing information on specific applications and regulatory decisions (# of NROs confirmed) [2]

Stage shared on Web	New NPPs	Other Install.	Lifetime Extension	Power Uprate
Pre-decision	3	1	0	0
Decision outcome	8	8	8	5
Document with reasons	8	5	6	5
Responded to the Websites	5	4	1	3
Responded to individually	7	6	6	4
Press release after decision	10	8	11	8
General public report	7	8	9	5

E-alerts or web-based bulletins are quite widely used to bring up to the minute information to those registered, either as it appears on the NROs website, or periodically. Some allow users to indicate the types of alert they want to receive, for example choosing categories such as new publications, press releases, a news item, research papers, customer satisfaction surveys, public consultations, etc.

4. Media to Access the Wider Public

All NROs consider that proactive, transparent communication is an important and positive way to gain the confidence of the media who are an influential channel of communication to the general public. The amount of media coverage experienced in each country varies considerably.

This can be achieved by regularly issuing information proactively – not waiting until you are specifically asked. You can listen and learn about the topics of concern in your communities, and address those concerns before they become bigger problems. For example, NROs can give out information openly relating to regulatory matters in advance of plans for new facilities and major modifications.

For most countries, as many activities under the consideration of NRO could be of interest to the public, NRO issues press releases or writes articles for newspapers and journals. His/her website also serves as a proactive source of information.

All NROs aim to communicate with the media proactively, however, emergency incidents remain a main trigger for media attention. On the other hand, it is much more difficult to interest the media and the general public in general issues, such as examples of good practice.

All countries agreed that, although not always easy, actively communicating with the media is worth the effort it demands. It strengthens the image of the NRO as a valuable and reliable source of information, it helps to create a better understanding of the subject and the role of the regulator among a variety of audiences, and results in more balanced reporting.

5. Creating a Culture of and Evaluating Transparency

Most have policies that support a culture of openness and transparency, and some have specific codes of practice or charters that promote such a culture. A future that is more open and transparent also features in strategic plans or goals. NROs understand that enhancing the openness and transparency of their organization serves to give the public and other stakeholders' confidence in their role of nuclear safety and security.

Most NROs believe their values and behaviors support a culture of openness and transparency and many also think their rewards and pay structures

promote such a culture. In most countries, staff are supported in their efforts to communicate with the public through specific training on writing for the public and speaking at public meetings. Training in these areas is usually limited to senior officials but often, anyone who might need support in communicating with the public is provided with the relevant opportunities.

Eight out of eighteen NROs report that they carry out internal surveys, either annually, bi-annually or every three years, to look at internal communications and the effectiveness of transparency policies. The information is usually discussed internally and posted on intranet sites.

NROs need to be prepared to respond to the media instantly in emergency situations, providing information in a timely manner and in understandable jargon-free language that makes the information accessible to all.

The best way to avoid loss of that well-earned confidence is to proactively investigate potential safety concerns before they lead to increased risk and keep the public informed along the way. Being open demonstrates that risk is not being underestimated.

Measuring transparency is considered by responders to be difficult but not impossible. But generally, it is fair to say that anything that is measured and made public is done well.

The majority of NROs have no special procedures for monitoring and reviewing their regulatory processes to ensure that they remain open and transparent. Some mentioned self-assessment as a tool for reviewing their transparency, or they conduct public surveys to obtain feedback on the success or otherwise of their organization's transparency policies.

6. Conclusions

The international survey on the transparency practices provided a set of useful practices drawn on their own expert knowledge and regulatory experience. The analysis of the survey results has also provided the key findings and illustrations of the practices of NRO in the area of transparency. This paper, in particular, draws out those areas of common practice amongst different countries.

It is noted that most NROs have made significant improvements in how they communicate with the public and it is clear that for many plans are in place to continue to evolve their practices as technology continues to advance and as the public's expectations continue to rise.

REFERENCES

[1] Transparency of Nuclear Regulatory Activities, Workshop Proceedings, Tokyo and Tokai-Mura, Japan, 22-24 May, OECD/NEA, 2007.
[2] Guidance for Transparency in Nuclear Regulatory Communication with the Public, Draft Version as of 25 June 2010, NEA/CNRA, 2010.